



Department of Defense DIRECTIVE

NUMBER 5105.59

September 25, 1995

DA&M

SUBJECT: The Secretary's Board on Investigations

References: (a) Title 10, United States Code
(b) Deputy Secretary of Defense Memorandum, "Establishment of the Secretary's Board on Investigations," May 2, 1995 (hereby canceled)

1. PURPOSE

Pursuant to Section 113 of reference (a), this Directive establishes the Secretary's Board on Investigations (hereafter referred to as "the Secretary's Board"), and supersedes reference (b).

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

3. MISSION

The Secretary's Board exists to provide oversight and coordination of criminal and administrative investigative policy and standards within the Department of Defense, and is intended to serve as a forum for and provide leadership in the discussion and resolution of issues related to investigations.

4. MEMBERSHIP AND STAFF

4.1. Membership of the Secretary's Board shall consist of the following officials:

4.1.1. The Inspector General of the Department of Defense (IG, DoD)
(Chair);

4.1.2. The Under Secretary of Defense for Acquisition and Technology;

4.1.3. The Assistant Secretary of Defense for Command, Control,
Communications, and Intelligence;

4.1.4. The General Counsel of the Department of Defense (GC, DoD);

4.1.5. One representative of the Secretary of the Army;¹

4.1.6. Two representatives of the Secretary of the Navy, one of which shall
be selected by the Commandant of the Marine Corps;¹

4.1.7. One representative of the Secretary of the Air Force.¹

4.2. The Secretary's Board shall be served by a five-person staff, composed of a Staff Director and four lawyers or senior investigative personnel. The Secretaries of the Military Departments; the Commandant of the Marine Corps; and the IG, DoD, shall each designate one individual to serve on the staff of the Secretary's Board. The Secretary's Board shall select the Staff Director from among the five designees. Members of the staff are expected to serve as representatives of the Secretary's Board, not of their parent organizations.

5. FUNCTIONS

5.1. The Secretary's Board shall:

5.1.1. Develop and oversee the implementation of criminal and
administrative investigative policy in the Department of Defense.

¹ The officials that the Secretaries of the Military Departments designate shall be from among the following Military Department officials: the head of the Military Department's criminal investigative organization, the Service Inspector General, the Military Department General Counsel, or another senior civilian representative of the Secretary of the Military Department. The Commandant of the Marine Corps' selectee shall be an official with similar responsibilities.

5.1.2. Monitor and evaluate, on an ongoing basis, DoD criminal and administrative investigative training programs; investigator qualification standards; investigator recruitment and career progression policy; investigator support functions, such as automated data processing; and collection, analysis, and reporting of investigative entities, such as functional consolidation, integration, and collocation.

5.1.3. Advise the Secretary of Defense concerning the need for and allocation of investigative resources.

5.1.4. Carry out specific tasks that the Secretary of Defense may assign to the Secretary's Board.

5.1.5. Advise and provide periodic progress reports to the Secretary of Defense on the actions of the Secretary's Board, and of the DoD Components in implementing assigned tasks involving investigative matters.

5.2. The Secretary's Board shall NOT:

5.2.1. Supplant the authority that any DoD Component has to develop or implement investigative policy. However, it is expected that the DoD Components that have this authority will exercise it consistent with the recommendations of the Secretary's Board.

5.2.2. Have any operational authority with respect to investigations.

6. OPERATION AND ADMINISTRATION

6.1. The Secretary's Board shall meet at the call of the Chair as often as is necessary to carry out its responsibilities, but not less frequently than trimonthly. It is expected that designated Board Members will attend all meetings.

6.2. Members of the Secretary's Board shall strive to reach unanimous agreement whenever possible. The Chair shall decide matters on which agreement cannot be reached. Board members may appeal a decision of the Chair, with which they disagree, to the Deputy Secretary of Defense. This is not intended to derogate from the responsibilities of the GC, DoD, as the chief legal officer of the Department.

6.3. The IG, DoD, shall provide the requisite administrative and logistical support for the operation of the Secretary's Board and its supporting staff.

7. EFFECTIVE DATE

This Directive is effective immediately.

A handwritten signature in black ink, appearing to read "John P. White", is written over a horizontal line.

John P. White
Deputy Secretary of Defense